

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

CITIBANK GLOBAL MARKETS, INC.,
et al.,

Plaintiff,

v.

LUIS FERNÁNDEZ-RAMÍREZ,
et al.,

Defendants,
Counterclaimants and
Third-Party Plaintiffs,

v.

JUAN CARLOS HERNÁNDEZ, et al.,

Third-Party Defendants.

Civil No. 06-1641 (JAF)

O R D E R

Plaintiff's Motion for Attorneys' Fees, Docket Document No. 107, is **DENIED**. We apply the American Rule in this case because Plaintiff has failed to demonstrate that Defendants acted either vexatiously or obstinately during litigation. See Local 285 v. Nonotuck Resource Associates, Inc., 64 F.3d 735, 737 (1st Cir. 2005) (acknowledging an exception to the American Rule in federal cases where the losing party has acted vexatiously by taking actions that were "frivolous, unreasonable, or without foundation"); P.R. R. Civ. P. 44.2 (giving courts discretion to impose attorneys' fees in Puerto Rico cases where litigants have

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demonstrated obstinacy by being "unreasonably adamant or stubbornly litigious").

IT IS SO ORDERED.

San Juan, Puerto Rico, this 23rd day of April, 2008.

S/José Antonio Fusté
JOSE ANTONIO FUSTE
Chief U.S. District Judge